

Message Text

CONFIDENTIAL

PAGE 01 MOSCOW 07265 081057Z

11

ACTION L-03

INFO OCT-01 ISO-00 EUR-12 SCA-01 DHA-02 H-02 INR-07 SS-15

SSO-00 INRE-00 /043 W

----- 025256

O 081025Z MAY 76

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC IMMEDIATE 3659

C O N F I D E N T I A L MOSCOW 7265

STADIS////////////////////////////////

E.O. 11652: GDS

TAGS: CFED, CGEN, SREF, PFOR, UR, US

SUBJ: SOVIET EXTRADITION REQUEST: SERGEY DMITRIYEVICH KOVAL'CHUK

REF: (A) STATE 110969, (B) MOSCOW 7245

1. EMBASSY APPRECIATES RAPID REPLY TO ITS REQUEST FOR PRESS GUIDANCE RE SUBJECT.

2. FOR DEPT'S INFO, SOVIET NOTE REQUESTING EXTRADITION (REF B) CITED AUTHORITY FOR ITS REQUEST AS OCTOBER 30, 1943 DECLARATION ON THE RESPONSIBILITY OF HITLERITES FOR PERPETRATED BRUTALITIES; THE AUGUST 8, 1945 LONDON AGREEMENT ON PROSECUTION AND PUNISHMENT OF PRINCIPAL AXIS WAR CRIMINALS; AND UN GENERAL ASSEMBLY (XXVIII) RESOLUTION 3074 DATED DECEMBER 3, 1973.

3. IF DEPARTMENT CONCURS, EMBASSY PROPOSES TO REPLY TO SOVIET REQUEST WITH FOLLOWING NOTE:

4. QUOTE THE EMBASSY OF THE UNITED STATES OF AMERICA REFERS TO NOTE NO. 23/USA DIV DATED MAY 7, 1976, FROM THE MINISTRY OF FOREIGN AFFAIRS OF THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING ITS REQUEST THAT THE GOVERNMENT OF THE UNITED STATES DELIVER SERGEY DMITRIYEVICH KOVAL'CHUK TO THE SOVIET UNION SO THAT HE CAN BE BROUGHT TO TRIAL HERE FOR ALLEGED CRIMES AGAINST HUMANITY.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MOSCOW 07265 081057Z

THE EMBASSY HAS BEEN INSTRUCTED TO INFORM THE MINISTRY THAT SINCE THERE IS NO U.S.-USSR EXTRADITION TREATY, THE U.S. GOVERNMENT CANNOT DELIVER ANY AMERICAN CITIZEN OR PERMANENT RESIDENT TO SOVIET AUTHORITIES AS REQUESTED.

THE EMBASSY NOTES, HOWEVER, THAT THE MR. KOVAL'CHUK CITED IN THE MINISTRY'S NOTE APPEARS TO BE IDENTICAL WITH THE SECOND NAME ON THE LIST OF ALLEGED WAR CRIMINALS SUBMITTED TO THE MINISTRY IN EMBASSY NOTE NO. 549, DATED MAY 4, 1976. SINCE THE SOVIET AUTHORITIES APPEAR TO HAVE GATHERED EVIDENCE CONCERNING MR. KOVAL'CHUK'S ALLEGED WAR CRIMES, THE EMBASSY REQUESTS THE MINISTRY'S ASSISTANCE IN MAKING SUCH EVIDENCE AVAILABLE TO THE AMERICAN AUTHORITIES CONCERNED WITH MR. KOVAL'CHUK'S CASE. END QUOTE.

5. IN DELIVERING NOTE, WE WOULD PLAN TO CAUTION SOVIETS AGAINST PUBLICITY IN THIS MATTER AS PER PARA 2 REFTEL.

6. DEPARTMENT'S CONCURRENCE OR COMMENTS REQUESTED. STOESEL

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, PRESS COMMENTS, COURT PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 MAY 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MOSCOW07265
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760178-0336
From: MOSCOW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760577/aaaacnwx.tel
Line Count: 81
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: STADIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: STADIS
Reference: 76 STATE 110969, 76 MOSCOW 7245
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 06 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06 MAY 2004 by CollinP0>; APPROVED <31 AUG 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SOVIET EXTRADITION REQUEST: SERGEY DMITRIYEVICH KOVAL'CHUK
TAGS: CFED, CGEN, SREF, PFOR, UR, US, (KOVAL 'CHUK, SERGEY DMITRIYEVICH)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006